REMARKS

Claim 20 has been corrected to state "one" instead of "on" to address the §112 rejection of that claim.

Claims 1 and 15 have been corrected along similar lines stemming from the objection to claim 1. In claim 1 the preamble has been changed to insert the term "flow" in the intended use of the valve to provide the requested antecedent. The term "it" has been replaced by "valve member", which is the structure that it referred to. The valve member has been located in the body to tie the elements of claim 1 to each other. The operation between the open and closed positions has been clarified as occurring from a change in the composition of the flow, a feature that was implicit before but is now made explicit. This latter change was also made to independent claim 15. Finally, "production" was replaced by the broader term flow to make the language in claim 15 consistent throughout.

Skipping over the claim rejections, the claims indicated allowable have been put into condition for allowance by presenting claims 4,12,13 and 16 in independent form. Claims 4-6, 12-14 and 16-19 should now all be in allowable condition.

Claim 1 has been rejected as anticipated by Towers USP 6,367,547. This patent is for a downhole separator that allows several layers to separate by their specific gravity. The valve 204 that the Examiner refers to is designed to have a float 212 that floats in the crude layer. When the level of the crude layer changes, the closure member 214 is moved into contact with opposing seats 222 or 224. There is no change in fluid condition that makes the valve 204 go between open and closed. Rather, it is the change in level of a material that is consistent in composition, i.e. the crude, that operates the valve 204. The reference to a relation to the density of the crude in the specification is to simply state that the float 212 is built to bob in the crude layer. In the end it is level changes in a homogenous material that operates the closure member between the seats 222 and 224.

The Examiner rejects claim 1 as anticipated by Gil USP 5,148,825. This reference is a lawn watering devise that senses water in the soil to change the volume of body 24 which, in turn shifts stem 44 to operate the valve between open and closed. This reference does not teach operation between open and closes based on a change of the composition of the fluid contacting the valve member. Even if item 24 of the reference is

considered a part of the valve member it is simply responsive to water or the absence of water. It is not taught in this reference to be responsive to a change in the fluid composition contacting it, as claimed in claim 1.

Finally, claim 1 is rejected as anticipated by Heaven USP 5,722,931. This reference is for a female incontinence device. The Examiner refers to means 20 which is a peripheral seal that turns into a gel on contact with urine to seal on the exterior on the catheter and against the urethra. The valve member is 12 and urine flows from inlets 16 through the catheter body and out valve 12. Band 20 only works to go from an initial state to a sealing state after the initial exposure to urine. Band 20 is responsive to a single material, urine, whose composition is not stated to change. The valve member in the body is 12 and it too is not responsive to change in the composition of the material contacting it.

Claim 15 is rejected using only the Towers reference. As stated before, the Towers reference has a float 216 designed to float in crude and move responsively to the level of crude in a separator and not responsively to a change in composition of the crude layer in which it always floats.

Allowance of all the claims is requested.

Respectfully submitted,

June 3, 2005

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